

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2010-091399

05/02/2011

HON. M. JEAN HOAG

CLERK OF THE COURT

A. Kirkendall

Deputy

ATLAS NO 001016426200/N
IN RE THE MARRIAGE OF
LISA M EVANS

LISA M EVANS
1333 N HIGLEY RD # 1
MESA AZ 85205

AND

TIMOTHY W PURVIS

TIMOTHY W PURVIS
7006 E JENSEN ST #33
MESA AZ 85207

DOCKET-FAMILY COURT-SE
FAMILY COURT SERVICES-CCC

**NUNC PRO TUNC CORRECTION RE: DECREE OF DISSOLUTION
JUDGMENT
HEARING SET**

Courtroom 302 – SEA

3:29 p.m. This is the time set for Resolution Management Conference re: Mother's *Petition to Modify a Support Order* filed February 7, 2011 and *Petition to Enforce*. Petitioner/Mother, Lisa M. Evans (hereafter referred to as "Mother and/or Wife") is present on her own behalf. Respondent/Father, Timothy W. Purvis (hereafter referred to as "Father and/or Husband") is present on his own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held with the Court.

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LET THE RECORD REFLECT that the Court has reviewed the Case Status Report from the Family Court Conference Center.

With respect to the Decree of Dissolution,

A clerical error having been made,

IT IS ORDERED *nunc pro tunc* correcting the *Decree of Dissolution* minute entry dated August 23, 2010, page 4, docket code 903, to reflect:

CHILD SUPPORT

IT IS ORDERED affirming that Father shall pay to Mother as and for child support the sum of **\$362.12** per month, payable through the Support Payment Clearinghouse by Wage Assignment, effective September 1, 2010.

SPOUSAL MAINTENANCE

IT IS ORDERED affirming that Father shall pay to Mother as and for spousal maintenance the sum of **\$200.00** per month for a period of three years, effective May 1, 2010 through April 30, 2013, payable through the Support Payment Clearinghouse, by Wage Assignment.

All other portions of the minute shall remain in full force and effect.

Discussion continues with the Court regarding Father's child support arrears, spousal maintenance arrears, unreimbursed medical expenses and extra-curricular activities.

Based on the testimony and evidence presented,

IT IS ORDERED granting Judgment in favor of Mother and against Father for **past child support** in the amount of **\$246.73** for the time period of September 1, 2010 through March 31, 2011. This Judgment earns interest at the legal rate until it is paid in full. Further, Judgment is granted in favor of Mother and against Father for interest in the amount of **\$5.23** for the same period. This interest Judgment does not earn additional interest.

IT IS FURTHER ORDERED granting Judgment in favor of Wife and against the Husband in the amount of **\$715.86** for the time period of May 1, 2010 through March 31, 2011 for principal **spousal maintenance arrears**. Interest shall continue to accrue on the principal

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amount at the legal rate. Further, Judgment is granted in favor of Wife and against Husband for interest in the amount of **\$29.85** for the same time period.

IT IS FURTHER ORDERED granting Judgment in favor of Wife and against the Husband in the amount of **\$275.00** for unreimbursed medical expenses and extra-curricular activities.

IT IS FURTHER ORDERED that Father shall pay **\$745.71** directly to Mother as and for **spousal maintenance arrears** no later than 5:00 p.m. on May 5, 2011.

IT IS FURTHER ORDERED that Father shall pay an additional **\$50.00** per month towards his **child support arrears** until paid in full, payable through the Support Payment Clearinghouse, by Wage Assignment, effective June 1, 2011.

IT IS FURTHER ORDERED that Father shall pay an additional **\$50.00** per month towards the **unreimbursed medical and extra-curricular activities** expenses until paid in full, payable through the Support Payment Clearinghouse, by Wage Assignment, effective June 1, 2011.

LET THE RECORD REFLECT an Order of Assignment is initiated electronically by the above-named deputy clerk.

Discussion continues with the Court regarding Mother's petition for a child support modification.

IT IS ORDERED setting an **Evidentiary Hearing** re: *child support modification* on **August 3, 2011 at 11:00 a.m.** before:

Southeast Judicial District
Courtroom 302
222 East Javelina Avenue
Mesa, Arizona 85210

Time Allotted: 45 minutes

IT IS FURTHER ORDERED all discovery and disclosure shall be completed by **July 13, 2011**.

A **Joint Pre-Hearing Statement** shall be filed pursuant to Rule 6.8(b), Local Rules of Maricopa County (Domestic Relations Proceedings) no later than **July 27, 2011**. If the parties

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want to make an opening statement, it may be included in the Pretrial Statement. In addition, each party shall attach to the Pre-Hearing Statement:

1. An updated affidavit of the current financial circumstances pursuant to Rule 6.7, Local Rules of Maricopa County.
2. A current and detailed inventory and appraisal of the property and assets of the parties.
3. A proposal of how the property and assets should be divided and the proposed disposition of each issue before the Court.
4. A Child Support Worksheet completed pursuant to the Statewide Child Support Guidelines. If a jointly prepared Worksheet is not filed, each party shall file a completed Child Support Worksheet.

Objections and pretrial motions not filed by **July 20, 2011** will be deemed waived. Postponements will be granted only in accordance with appropriate rules.

Failure of counsel or of any party to present a Pre-Hearing Statement in proper form including each and every attachment required shall, in the absence of good cause shown, result in the imposition of any or all available sanctions pursuant to Local Rule 6.2(e).

If this matter is settled and will proceed in the manner of a default, you may contact this division for an expedited hearing date.

Counsel is advised that if the presentation of evidence does not allow for closing arguments, the Court will direct the parties to submit written closing arguments. If time allows for closing arguments, the Court may hear closing arguments at that time.

IT IS ORDERED that **no less than five (5) business days prior to the Hearing**, the parties and, if represented, counsel shall provide to the clerk of this division **any exhibits they shall seek to admit into evidence**. **All exhibits must be clearly identified, separated by a COLORED sheet and hand delivered to the Clerk of this Division no later than 12:00 p.m. on July 27, 2011. All exhibits shall be hand-delivered directly to court staff at this Division's suite.** Exhibits shall not be presented for marking that have not been previously exchanged. No duplicate exhibits shall be presented for marking. **Failure to obey these orders may result in exclusion of the exhibit and/or waiver of objections.**

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IF EITHER PARTY FAILS TO APPEAR FOR THE HEARING, THE HEARING MAY NEVERTHELESS PROCEED, AND RELIEF MAY BE ENTERED IN FAVOR OF THE PARTY WHO HAS APPEARED.

IF BOTH PARTIES FAIL TO APPEAR, THE HEARING MAY BE VACATED AND/OR THE ACTION MAY BE DISMISSED.

NOTE: All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this Division **five (5) court business days** before the scheduled hearing.

3:47 p.m. Matter concludes.

IT IS ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

05/05/11

/S/ HON M. JEAN HOAG

Date

The Honorable M. Jean Hoag
Judicial Officer of the Superior Court

**PLEASE NOTE: IMPORTANT INFORMATION RE: CD/VIDEOTAPE
FEE CURRENTLY IN EFFECT**

This Courtroom uses an electronic recording system for the record. All CDs and videotapes will be provided by the Court, regardless of when the copies are made. A fee of \$20.00 will apply to all copies requested, either on the day of the hearing or for hearings recorded on an earlier date. Forms to request a recording of a proceeding are available in the Self-Service Centers and in the JAVS and FTR courtrooms.

If a party wants a court reporter to record a proceeding in this Court, a written request must be filed at least 48 hours before the commencement of the proceedings.

A person requesting a daily copy CD or videotape must complete the appropriate request form and pay the applicable fee at the Self-Service Center. Upon payment of the appropriate fees through the Self-Service Center, a receipt will be issued which shall then be presented to Court staff for preparation of the CD or videotape in the customary manner.

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A person wanting a copy of a hearing from a previous occasion must contact Ken Crenshaw at 602-506-7100.

NOTICE: A child should not be brought to the Courthouse to be present during a court proceeding except in the circumstance that the child is to be interviewed by the Judge in chambers or unless the child's presence is otherwise required for the court proceeding. Whenever a child is brought to the Courthouse, it is the responsibility of the party who brings the child to arrange for appropriate care and supervision of the child outside of the courtroom and judicial offices. The duties of Court personnel do not permit them to perform this function.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.